

11th Circuit Docket Number: 25-11612

Caption: Bear Warriors United, Inc. v. Alexis Lambert, in her official capacity as Secretary of the Florida Department of Environmental Protection	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">District and Division:</td> <td>Middle District of Florida, Orlando Division</td> </tr> <tr> <td>Name of Judge:</td> <td>Judge Carlos E. Mendoza</td> </tr> <tr> <td>Nature of Suit:</td> <td>Civil</td> </tr> <tr> <td colspan="2">Date Complaint Filed: 11/04/2022</td> </tr> <tr> <td colspan="2">District Court Docket Number: 6:22-cv-02048-CEM-LHP</td> </tr> <tr> <td colspan="2">Date Notice of Appeal Filed: 05/09/2025</td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action </td> </tr> <tr> <td colspan="2"> Has this matter previously been before this court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide (a) Caption: _____ (b) Citation: _____ (c) Docket Number: _____ </td> </tr> </table>	District and Division:	Middle District of Florida, Orlando Division	Name of Judge:	Judge Carlos E. Mendoza	Nature of Suit:	Civil	Date Complaint Filed: 11/04/2022		District Court Docket Number: 6:22-cv-02048-CEM-LHP		Date Notice of Appeal Filed: 05/09/2025		<input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action		Has this matter previously been before this court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide (a) Caption: _____ (b) Citation: _____ (c) Docket Number: _____	
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		Attorney Name	Mail	Telephone, Fax, Email
For Appellant:				
<input type="checkbox"/>	Plaintiff	Jeffrey M. Harris	Consovoy McCarthy, PLLC	Tel: 703-243-9423
<input checked="" type="checkbox"/>	Defendant		1600 Wilson Blvd	jeff@consovoymccarthy.com
<input type="checkbox"/>	Other (Specify)		Ste 700	
			Arlington, VA 22209	
For Appellee:				
<input checked="" type="checkbox"/>	Plaintiff	Jessica L. Blome	Greenfire Law, PC	Tel: 510-900-9502
<input type="checkbox"/>	Defendant		2748 Adeline St	jblome@greenfirelaw.com
<input type="checkbox"/>	Other (Specify)		Ste A	
			Berkeley, CA 94703	

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant	<input checked="" type="checkbox"/> Final Judgment, 28 USC 1291 <input type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) <input type="checkbox"/> 54(b)	<input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input type="checkbox"/> Summary Judgment <input checked="" type="checkbox"/> Judgment/Bench Trial <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input checked="" type="checkbox"/> Injunction <input type="checkbox"/> Other _____	Amount Sought by Plaintiff: \$ _____ Amount Sought by Defendant: \$ _____ Awarded: \$ _____ to _____ Injunctions: <input type="checkbox"/> TRO <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Permanent <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied

Based on your present knowledge:

- (1) Does this appeal involve a question of First Impression? ☐ Yes ☒ No
What is the issue you claim is one of First Impression? _____
- (2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute? ☒ Yes ☐ No
If Yes, provide
(a) Case Name/Statute Endangered Species Act
(b) Citation 16 U.S.C. ch. 35
(c) Docket Number if unreported _____
- (3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that
(a) Arises from substantially the same case or controversy as this appeal? ☒ Yes ☐ No
(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal? ☒ Yes ☐ No
If Yes, provide
(a) Case Name Bear Warriors United, Inc. v. Alexis Lambert, in her official capacity as Secretary of the Florida Department of Environmental Protection
(b) Citation _____
(c) Docket Number if unreported 25-11821
(d) Court or Agency Eleventh Circuit Court of Appeals
- (4) Will this appeal involve a conflict of law
(a) Within the Eleventh Circuit? ☐ Yes ☒ No
(b) Among circuits? ☐ Yes ☒ No

If Yes, explain briefly:

- (5) Issues proposed to be raised on appeal, including jurisdictional challenges:

1. Plaintiff lacked standing to secure an injunction or declaration against Defendant.
2. Plaintiff did not prove that Defendant proximately caused its alleged injuries under the Endangered Species Act.
3. The district court's injunction violates Eleventh Amendment anti-commandeering principles.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND

SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 4th DAY OF June, 2025.

Jeffrey M. Harris

NAME OF COUNSEL (Print)

/s/ Jeffrey M. Harris

SIGNATURE OF COUNSEL